

Douglas A. Ducey
Governor

Mario Fontes, L.Ac.
Chairman

Mindy Hayden, L.Ac.
Secretary



Acupuncture Board of Examiners

1740 W. Washington, Ste 3005
Phoenix, Arizona 85007

Telephone (602) 542-3095 • Fax (602) 926-8104

David Geriminsky
Executive Director
director@acupuncture.az.gov

MEETING OF THE ARIZONA ACUPUNCTURE BOARD OF EXAMINERS SUB-COMMITTEE ON STATUTES, RULES, & AURICULAR ACUPUNCTURE April 11, 2018 - OPEN SESSION MINUTES

Members of the sub committee on Statutes, Rules, & Auricular Acupuncture met at 1:00 p.m. on Wednesday, April 11, 2018, at 1740 W. Adams, Boardroom B, Phoenix, Arizona 85007.

Committee Members Present:

Mario Fontes, L.AC., Chairman
Jennifer Sandoval, L.AC.
Susan M. Williams

Committee Members Absent:

None

Board Staff: David Geriminsky, Executive Director

Attorney General Representative: Frankie Shinn-Eckberg, Assistant Attorney General

1. **CALL TO ORDER.** Chairman Fontes called the meeting to order at 1:11 p.m.
2. **RECOGNITION OF COMMITTEE MEMBERS**
3. **DECLARATION OF CONFLICTS OF INTEREST – A.R.S. §38-503 – None**
4. **Review, Discussion and Possible Recommendations on Rule Changes pursuant to Sunset Audit**

The Committee reviewed the Draft Rule Changes presented by the Executive Director which included changes that would help the Board implement the recommendations of the Auditor General's Office. Chairman Fontes moved to forward the recommended changes to the Full Board based on the draft rule changes presented by the Director and the comments of the Committee. Committee Member Sandoval Seconded. The Motion Passed.

Fontes	Williams	Sandoval	Vote
X	X	X	Aye
			Nay
			Recused
			Abstained
			Absent

5. **Review, Discussion and Possible Recommendations on Rule Changes to Title 4 - Chapter 8 of the Arizona Administrative Code**

The Board held a lengthy discussion on rule changes including rule changes to reduce regulatory burdens, and changes to improve processes. After consideration Committee member Sandoval moved to recommend rule changes including:

- Requiring Acupuncturists and Auricular Acupuncturists to update the Board with changes in Legal Name and contact information within 10 days.
- changes to the visiting professor certificate including seeking its eventual removal
- Including a reference to ARS 32-3211 in R4-8-502 notifying Acupuncturists of those record keeping requirements.
- Updating the Statute or rule regarding passing four referenced NCCAOM modules to three modules as the Point Location and Acupuncture modules have been combined.
- Increasing the CE for attending a Board Meeting to 4 from 1
- Offering up to 8 combined hours of CE for completing courses provided by the American Heart Association
- Extend time frames for initial licensure to account for fingerprinting through DPS and the FBI

Member Sandoval further moved to forward the recommended changes to the Full Board. Committee member Williams seconded. The Motion Passed.

Fontes	Williams	Sandoval	Vote
X	X	X	Aye
			Nay
			Recused
			Abstained
			Absent

6. Review, Discussion and Possible Recommendations on Rule Changes to Title 4 - Chapter 8 of the Arizona Administrative Code

The Committee held a lengthy discussion on Auricular Acupuncture in the State of Arizona. They discussed potential health and safety issues and the reasoning behind Auricular Acupuncturists practicing in DHS Facilities at present. The Committee reviewed a study on potential negative outcomes of Auricular Acupuncture (finding very little), other states laws and rules, and heard comment from the public. Committee Member Williams moved to have their recommendations written into a substantive policy statement and presented to the full Board. Committee Member Sandoval Seconded. The Motion Passed.

Fontes	Williams	Sandoval	Vote
X	X	X	Aye
			Nay
			Recused
			Abstained
			Absent

7. CALL TO THE PUBLIC –

Catherine Niemiec and Jonathan Lindsey made a presentation to the Board during the discussion on Auricular Acupuncture including reasoning behind some of the current rules and their plans for presenting and seeking further statutory and rule changes in the future regarding the definition of Acupuncture and Acupuncturists Scope of Practice. The board took No Action.

8. DISCUSSION OF ITEMS TO BE PLACE ON A FUTURE MEETING AGENDA

None

9. ADJOURNMENT.

Committee Member Sandoval moved for adjournment and Committee Member Williams provided a second. The motion passed. The Committee adjourned at 4:16 p.m.

Fontes	Williams	Sandoval	Vote
X	X	X	Aye
			Nay
			Recused
			Abstained
			Absent

Respectfully Submitted,

David Geriminsky
Executive Director

Approved by the Board: